

EXHIBIT

5

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

Civil Action No. 1:14-CV-00954-LCB-JLW

STUDENTS FOR FAIR ADMISSIONS,)
INC.,)
Plaintiff,)
v.)
UNIVERSITY OF NORTH CAROLINA,)
et al.,)
Defendants,)
and)
LUIS ACOSTA; CHRISTOPHER)
JACKSON on behalf of C.J.; RAMONIA)
JONES on behalf of R.J.; JULIA NIEVES on)
behalf of I.N.; ANGIE & KEVIN MILLS on)
behalf of Q.M.; LAURA ORNELAS;)
CECILIA POLANCO; TAMMIKA)
WILLIAMS on behalf of A.J.; and STAR)
WINGATE-BEY,)
Defendant-Intervenors.)

DECLARATION OF
SIENA SCARBROUGH

Siena Scarbrough, pursuant to 28 U.S.C. § 1746, declares the following:

1. My name is Siena Scarbrough, I am over 18 years of age, and I am fully competent to make this declaration.

2. I was a full-time undergraduate student at UNC-Chapel Hill during the period of August 2013 to May 2017. While at UNC, my major was media and journalism, with a focus in public relations.

3. I am African American.

4. I was the first person in my family to attend a four-year college on my mother's side.

5. I chose UNC-Chapel Hill mostly because of its academic reputation and the experience I had when visiting. Cost and diversity of student body were also reasons I chose UNC. Even though I'm an out-of-state student, the tuition here was still significantly less than other schools' I was considering. UNC was better than these schools in terms of ethnic and socio-economic diversity as well. Growing up I moved around quite a bit and had to switch schools multiple times. I attended both non-diverse and diverse schools and learned I much preferred more diverse schools. While having other minority students at my school was not the single most important factor when choosing a school, it was still a significant consideration.

6. One thing I did like about the racial diversity at Carolina was the many different types of minorities here. While it is always great to have other African American students here, who have a similar background to mine, it is also valuable to know minority students who are not Black. It can be eye-opening to see just how similar your experiences in predominantly white communities are. It's also great to learn about the differences between your experiences and cultures and discuss what it's like to be a minority student at Carolina.

7. During my time at Carolina I have definitely experienced negative and uncomfortable situations that occurred as a direct result of my race. I've had a suitemate complain to me that it's impossible to get scholarship money "unless you're a black girl" even

though only scholarship money I had was from community service. On multiple occasions, I've had people ask me what is and what is not appropriation of Black culture just because I was the nearest Black person. One constant issue I dealt with on UNC's campus was balancing having African-American friends and White friends. It was rare for the majority of white students and Black students to hang out together so I had to choose between the two. When I chose to hang out with my white friends other Black students saw me as an "Oreo" and "the token" minority friend. When I choose to hang out with Black friends then I was seen as just another one of "those" Black kids on campus. There was really no way to have any type of friends without being stereotyped and judged.

8. I was usually one of few or the only Black student in my classes but I became used to this in high school. It was a little more uncomfortable in extracurricular activities on campus. For example, I was part of the co-ed honors fraternity Phi Sigma Pi and was one of very few minority students. Whenever there was a conversation focusing on race, myself and the few other minority members would be consulted as if we knew everything there was to know about race relations in America. At one point our chapter had a rather intense discussion over using the word "privilege". Some argued this word makes people uncomfortable. This made it seem like keeping certain members comfortable was more valued than acknowledging the struggles and experiences of underprivileged members.

9. I think when it came to many big racial issues such as police brutality, gerrymandering, voting rights and gentrification, I found support from a lot of UNC students regardless of their race. I've been involved in peaceful protests where participants were from all different types of backgrounds. More specifically, there was also a lot of mutual support between the Latino/a/x, LGBTQ, and Black communities. When it came to smaller issues such as

changing the name of an academic building that was named after a KKK leader or the removal of the confederate Silent Sam statue, there was much more tension between minority students and white students who didn't see the point in making these changes. I will admit, I was not ready to wake up to a sea of confederate flags brought to campus by angry white southerners, protesting any attack on "southern heritage". That instance made me extremely uncomfortable and scared in a way I knew my white friends would not be able to fully understand. This situation and the feeling that came along with it may not have been experienced at another school, outside of the South, with calmer race relations.

When it came to the UNC administration's reaction to the problem, it was clear they wanted to remain pretty neutral and non-controversial. Students received an email saying the university would work harder to be more transparent when dealing with the school's history. Students were invited to join a history task force if they wanted to be more involved. Many emails from the chancellor were focused on creating respectful discourse about race relations at UNC in order to make all students feel equal. This included a series of town hall meetings focusing on race relations and a new exhibit in focusing on the racial history of UNC. Though this support of meaningful conversations was great, there was still no message explicitly denouncing Saunders' or Confederate soldiers' racist actions or reaching out specifically to students of color. There was also a push from students to rename Saunders Hall "Hurston Hall" because Zora Neale Hurston secretly took classes here. But of course, that was probably too liberal, and possibly too Black, for the administration/BOG who chose the name "Carolina Hall" instead.

Overall it seemed like the administration wanted to encourage a peaceful discourse of these issues and ensure transparency when it came to UNC's past. There was a focus on "equality," without addressing how the school's clearly racist history could affect students of color much more than other students.

I declare under penalty of perjury that the foregoing is true and correct. Executed
this 10th day of June, 2017.

Simeon Scully